

BEST AVAILABLE COPY



Section \$
UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER 09/120,044	FILING RECEIPT DATE 07/21/98	FIRST NAMED APPLICANT FINNETT	ATTORNEY DOCKET NO./TITLE
----------------------------------	---------------------------------	----------------------------------	---------------------------

0262/0810

MORGAN & FINNEGAN
345 PARK AVENUE
NEW YORK NY 10154



NOT ASSIGNED

1643

08/10/98

DATE MAILED:

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.36(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☐ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☒ small entity (statement filed) ☐ non-small entity is \$ 130

- ☐ 1. The statutory basic filing fee is:
☐ missing.
☐ insufficient.

Applicant must submit \$ _____ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

- ☐ 2. Additional claim fees of \$ _____, including any multiple dependent claim fees, are required.

\$ _____ for _____ independent claims over 3.

\$ _____ for _____ dependent claims over 20.

\$ _____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☒ 3. The oath or declaration:
☐ is missing or unexecuted.
☐ does not cover the newly submitted items.
☐ does not identify the application to which it applies.
☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42; 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).
☐ 7. Your filing receipt was mailed in error because your check was returned without payment.
☐ 8. The application does not comply with the Sequence Rules.
See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."
☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

18 KHARLING 0000013 09120044 130.00 DP

PATENT

Docket No. 1758-4036US2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Minetti, C. et al.

Serial No : 09/120,044

Filed : July 21, 1998

For : MODIFIED IMMUNOGENIC PNEUMOLYSIN COMPOSITIONS
AS VACCINES



Group Art Unit: 1643

Examiner: To Be Assigned

CERTIFICATE OF MAILING (37 C.F.R. 1.8a)

ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Sir:

I hereby certify that the attached Combined Declaration And Power Of Attorney; Transmittal of Declaration Pursuant To C.F.R. §1.53 (in duplicate); Petition And Fee For Extension Of Time (37 C.F.R. §1.136(a)) (in duplicate) Copy of Form PTO-1533; Checks in the amounts of \$130.00 and \$110.00; Return Receipt Postcard, along with any paper(s) referred to as being attached or enclosed) and this Certificate of Mailing are being deposited with the United States Postal Service on date shown below with sufficient postage as first-class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

Dated: November 10, 1998

By: Darryl H. Steensma
Darryl H. Steensma

cCORRESPONDENCE ADDRESS:
MORGAN & FINNEGAN LLP
345 Park Avenue
New York, New York 10154
(212) 758-4800
(212) 751-6849 Facsimile

FORM: CERT..NY
Rev. 05/27/98



PATENT

Docket No. 1758-4036US2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Minetti, C. et al. Group Art Unit: 1643
Serial No : 09/120,044 Examiner: To Be Assigned
Filed : July 21, 1998
For : MODIFIED IMMUNOGENIC PNEUMOLYSIN COMPOSITIONS AS VACCINES

TRANSMITTAL OF DECLARATION PURSUANT TO C.F.R. § 1.53

ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Sir:

Transmitted herewith is a declaration for the above-identified application.

The surcharge, pursuant to 37 C.F.R. § 1.16(e), for filing a declaration on a date later than the filing date of the application is as follows:

- ☐ Filing by a small entity
\$65.00
- ☒ Filing by other than a small entity
\$130.00
- ☐ Charge surcharge fee to Deposit Account No. 13-4500. Order No. _____ A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
- ☒ A check in the amount of \$ 130.00 to cover the surcharge fee is enclosed.

[X] The Assistant Commissioner is hereby authorized to charge any additional fees which may be required by this paper, or credit any overpayment to Deposit Account No. 13-4500. Order No. 1758-4036US2.
A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

Dated: November 10, 1998

By: Darryl H. Steensma
Darryl H. Steensma
Registration No. 43,155

CORRESPONDENCE ADDRESS:

MORGAN & FINNEGAN, L.L.P.
345 Park Avenue
New York, New York 10154
(212) 758-4800
(212) 751-6849 Facsimile

FORM: DEC-TRAN.NY
Rev. 11/13/97